

08/792,468

Attorney Docket No.: 940494B

**REMARKS**

Claims 37-53 are pending in this application, all of which are newly added. Claims 13-36 have been canceled, of which claims 13-26 have been rewritten as new claims 37-53.

The Board sustained the Examiner's rejections of claims 13-36 under 35 USC §103(a) as being obvious over various combinations of Collins, Jr., Gogulski, Ehrat and Hehemann.

Applicants respectfully traverse these rejections.

New independent claims 37 and 46, which are based on original independent claims 13 and 22, respectively, recite an independently mobile shopping cart which has a cart body for carrying commodities and a payment processor for handling a payment for the commodities with a prepaid card or a credit card. The payment processor has a commodity code reader, a commodity price identifying section, a prepaid card reader (or a credit card reader), and a registering section (or a charging section). With this arrangement, because the payment processor can handle the payment independently without any need of communication with an external central processor or the like while the shopping cart is independently and freely movable as a whole, a customer can make payment anywhere in a store using the payment processor of the shopping cart.

Collins, Jr., Gogulski, Ehrat and Hehemann fail to teach, mention or suggest this feature of the present invention. Specifically, Collins, Jr. discloses a portable scanning terminal 44 mounted on a grocery cart 50, but the terminal 44 requires being in communication with a store processor 110 using an electrical cable 64 connected to floor receptacle 66 or using a transceiver 80, and it is therefore impossible to process purchases independently. In addition, the cart 50 of Collins is not

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independently movable because of an attachment to the electrical cable 64 fixed to one location. Thus, even if the terminal 44 has the transceiver 80, the cart 50 would not be freely movable because it must be kept relatively immobile within a radio communication area.

New claims 38-45 and 47-53 depend from either of new claims 37 and 46, directly or indirectly, and should be allowed because they recite additional features not taught in the cited references.

Thus, the 35 USC §103(a) rejection should be withdrawn.

Claims 37-53 are now in condition for further examination.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney, at the telephone number indicated below, to arrange for an interview to expedite the disposition of this case.

In the event this response is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully Submitted,  
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Enclosures: RCE

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